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Affidavit

I, Austin Holmes, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since February 2022 and have been assigned to the FBI's Cleveland Division since July 2022. While employed by the FBI, I have conducted investigations of federal criminal offenses including violent crimes and narcotics offenses. I have gained experience through training at the FBI Academy and everyday work related to these types of investigations.

2. I am an "investigative or law enforcement officer" of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code.

3. This affidavit is being submitted for the limited purpose of establishing probable cause that BRYAN COOK, on or about August 10, 2022, in the Northern District of Ohio, Eastern Division, has violated Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), Distribution of a Controlled Substance. The statements contained in this affidavit are from my own observations and derived from information provided to me by members of the Cleveland Safe Streets Violent Gang Task Force (SSGTF). This affidavit does not include every fact known to me regarding this investigation but will seek to summarize relevant information.

Confidential Sources

4. Investigators have received information obtained from one confidential source (Source 1), during the course of this investigation.

5. Source 1 has been providing information to Law Enforcement for approximately 1 year. Source 1 has provided key information and cooperation regarding numerous drug trafficking targets. The information provided, and evidence collected by Source 1 in this Affidavit, has been corroborated through consensually recorded conversations, surveillance, and other investigative activities and is considered reliable. Source 1 has a criminal history including drug trafficking offenses and worked in an operational capacity on this investigation for monetary compensation. In November 2022, Source 1 was arrested by local Police following a traffic stop for being a felon in possession of a firearm and was closed for cause as a confidential source. Prior to Source 1's arrest, investigators never found information provided by Source 1 to be false or misleading.

Probable Cause

6. Members of SSGTF have been investigating the drug trafficking activities of BRYAN COOK since November 2021. On or about August 10, 2022, SSGTF investigators utilized Source 1 to conduct a controlled purchase of approximately 28.04 grams of Fentanyl, a Schedule II controlled substance, from BRYAN COOK. Prior to the controlled purchase, Source 1 was searched for drugs and/or contraband with negative results. During the controlled purchase, Source 1 sent consensually monitored text messages and phone calls to BRYAN COOK to arrange the purchase of Fentanyl and Source 1 was provided government funds for the purchase. During the controlled purchase, COOK entered Source 1's vehicle and conducted the transaction in a predetermined location, in Cleveland Heights, Ohio, while under law enforcement surveillance. Following the controlled purchase, Source 1 met investigators at a predetermined location, provided the purchased narcotics to investigators, and was searched for

drugs and/or money with negative results. The narcotics were sent to the Cuyahoga County Regional Forensic Laboratory and the amounts previously listed reflect those test results.

Conclusion

7. Based on the preceding, I believe that probable cause exists to believe that on or about August 10, 2022, in the Northern District of Ohio, Eastern Division, BRYAN COOK has violated Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), Distribution of a Controlled Substance.


Austin Holmes
Special Agent
Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 3, 4(d), and 4.1, on this 12th, day of December, 2022.


JONATHAN D. GREENBERG
UNITED STATES MAGISTRATE JUDGE

